

CALL TO ORDER

Mayor Mazza opened the meeting at 7:00 p.m.

“Sunshine Law” Announcement: Adequate notice of this public meeting has been provided by the Annual Notice; faxed to the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

FLAG SALUTE

ROLL CALL - Present: Rob Haynes, Matt Severino, William Bischoff, Patricia Dziubek, Frank Mazza.

Absent: None

Others Present: J. Peter Jost, Esq., Attorney, John Reymann, Twp. Engineer, William Brinton, Special Counsel, Ella M. Ruta, Township Clerk.

APPROVAL OF MINUTES

- a. Regular and Executive Session Meeting Minutes of March 19, 2008.

Mr. Haynes noted that on page #7 of the above minutes his name is misspelled. Mr. Bischoff noted that on page #4 of same minutes under Mayors’ Report section a phrase “days off” is repeated twice and would also like the Minutes of March 19th to reflect that he would be attending the Employment Practices Liability Training Course.

Mrs. Dziubek would like the amendment to Budget Workshop Minutes from March 3rd be explained.

Mrs. Dziubek made a motion to approve the said minutes reflecting the above amendments. Mr. Severino seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

Township Clerk, after checking recording of the March 3rd minutes confirmed that there were no amendment. The word “as amended” was typed in by mistake.

VISITORS

- a. IKARIA, 6 Rt. 173 East – seeking permission to place temporary trailers on the site while remodeling.

David Dallas, owner of the property and landlord to IKARIA, thanked the Mayor and the Committee for giving him the opportunity to be heard on such short notice. He stressed the importance of the tenants to resolve this issue as soon as possible. In order to re-size existing offices there is a need to park mobile trailers in the outside parking lot for the next five months. The company would obtain all necessary permits. Mayor Mazza stated that he contacted Mr. McManus, zoning officer, who indicated that it is a permitted use. Mr. McManus told the Mayor that he would prefer the Township Committee to be aware of this matter before zoning permit is issued.

Atty. Jost stated that there is provision in the Township’s Code that allows parking of a temporary trailers for up to six months.

Charlene Baznik, representing IKARIA, provided a copy of the site plan and gave an explanation of the plan.

After a round of questions and answers from both sides and a brief discussion, the Committee agreed to approve placing temporary trailers on the property located at 6 Route 173 West, Block 23 Lot 2.04.

Mr. Severino made a motion to approve a six months temporary permit for parking two trailers at the location indicated in the submitted site plans by IKARIA. Mr. Haynes seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

TAKEN OUT OF AGENDA ORDER

Mr. Haynes motioned to go into Executive to discuss litigation. Mr. Bischoff seconded. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

Mayor Mazza decided that another visiting group should speak before the Committee goes into Executive Session. He asked for a motion to come out of Executive Session.

Mr. Bischoff made a motion to return to the regular session of the meeting. Mr. Haynes seconded. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

b. Mary Beth Gallagher – President of the Trail Association

She asked about placing “Horse Crossing” signs around the Township. Atty. Jost said that it would depend whether it is allowed under Uniform Manual of Traffic Devices. Mrs. Gallagher confirmed that it is. She said they would like to put up signs at six different locations, where traffic is the busiest. Mr. Haynes verified that these signs would serve the same way as the school signs. They would be in effect when horses are present on the road. Twp. Engineer Reymann will check into the legality of placing the signs and whether approval from the State or the County is needed.

TAKEN OUT OF AGENDA ORDER

At approximately 7:27 PM the following resolution was introduced for adoption:

**RESOLUTION #2008-65
EXECUTIVE SESSION**

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Union Township Committee has deemed it necessary to go into closed session to discuss certain matters which are exempt from the public.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12: Litigation.

Mr. Haynes made a motion to adopt the above resolution. Mrs. Dziubek seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

At approximately at 8:05 PM, Mr. Bischoff made a motion to return to the regular meeting, Mr. Severino seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

At this time Mr. Brinton left the Township Committee meeting.

c. Mary Beth Berry – 10 Albert Drive

Mrs. Berry came before the Committee to complain about the smell and noise coming from the sewer treatment station built by Toll Brothers directly in front of her house. She said that ever since the station was completed all kinds of problems began; water and mud run off because all trees were cut down, grade of the

driveway was changed and recent smell and noise make it unbearable to stay outside for any length of time. Mrs. Berry stressed how hard it is for a family with five children to stay inside at all times. She said she called Toll Brothers. They contacted Wastewater Management who told her that they are aware of the problem. They said there is a manhole that needs to be covered. Mrs. Barry stated that she was promised before the sewer treatment plant was built that it is a state of the art facility and it would not smell or create any noise. She said she could not imagine spending the whole summer smelling the odor and dealing with the noise coming out of that place. Mayor Mazza posed the question to Twp. professionals and Committee members, could anything be done to rectify this situation. Atty. Jost said he would contact Mr. Clerico at the Wastewater Management. Mr. Severino said that he feels the Township should take a course of action trying to resolve this issue and help Mrs. Barry in dealing with her problems.

REPORTS RECEIVED

- a. Road Dept.- Week Ending 3/28/08; 4/04/08
- b. Construction Dept. – March 2008
- c. Municipal Court – March 2008
 - Mrs. Dziubek questioned invoice for records services for Municipal Court on claims register. She would like to know if it is for our Municipal Court. Atty. Jost suggested contacting Court Administrator or Finance Officer for explanation.
 - Mr. Bischoff noted the number of cases per month and for 2005 - 443; 2006-496; 2007-496. January of 2008 – 614, February – 422, March – 362.
- d. Environmental Commission

Michele McBride, Member of the Environmental Commission, present at the meeting with members of the Stewardship Subcommittee, Steven Hurford and John Wingler. She prepared a power point presentation on general issues that need to be addressed regarding Township owned properties as well as restoration possibilities for Hoffman House and Douglas Farm. Hard copy of the presentation was available to all Committee Members. Mr. Bischoff asked that the presentation be made to the Planning Board. Following are the highlight points of the presentation:

- Names of the Property Stewardship Subcommittee members
- Environmental Commission Enabling Legislation
- Objective of property stewardship
- Preserved land in Union Township
- Additional Union Township Open Space recently acquired
- Hoffman property preliminary action plan

Due to time limitations, presentation about Douglas's Farm was rescheduled for another Committee meeting. After the presentation and a brief discussion regarding future of the Hoffman's house, **Mrs. Dziubek made a motion that the following members be appointed to the Property Stewardship Advisory Subcommittee for Union Township, to serve at the pleasure of the Union Township Committee without compensation. Mr. Bischoff seconded. The members are Michele McBride, William Harclerode, Steve Hurford and John Wingler. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.**

The Committee commended Mrs. McBride and the Environmental Commission for the great job they are doing.

Mr. Severino asked if obtaining cost estimates for temporary rental fencing around hazardous area should be held off. Consensus of the Committee was to move forward with obtaining quotes. Twp. Engineer suggested

that future use of the building should be determined before money is spent on the property. Mrs. Dziubek agreed.

CORRESPONDENCE

Mr. Bischoff mentioned the following:

- A letter from NJLM regarding 2009 Pension Obligation. Mr. Bischoff would like Grace Brennan, CFO, to provide information about Township's Pension Obligations.
- A resolution urging that the Governor and Legislature implement a stay on the further implementation of the COAH third round proposals and the Fair Housing Act. Asked if the Committee would be interested in adopting same resolution. Atty. Jost advised to wait until after Executive Session.
- Letter to the Mayor asking that the month of May be designated as Older Americans Month by the Federal Government. Mr. Bischoff would like to endorse the proclamation.
- Letter from NJDEP regarding Green Acres Program Project: Union Twp. Recreation Area and Mr. Bischoff said he would like clarification. In response, Mr. Haynes said that all parks are, at least, partially Green Acres projects. Inspection will be conducted on the Project during the month of May 2008. Mr. Haynes will call to arrange the appointment.

Mr. Severino mentioned the following:

- Notice of nonrenewal of insurance for Stephan Markota, former tenant at Hoffman house. Atty. Jost clarified that it was Mr. Markota's homeowner insurance. The Township was listed as an additional insurer and that is why we received notification.

Mrs. Dziubek mentioned the following:

- Asked if the Township is going to be represented at the public hearing on May 1, 2008 at the Hunterdon County Planning Board on the Transportation Plan. Mrs. Dziubek stated that she thinks that it is tied with correspondence from HC Bd. of Chosen Freeholders regarding I-78 modifications and Exit 15. She said it failed to recognize the amendments that were made to the NJ TPA minutes. Atty. Jost already communicated with Freeholders on the issue. Mrs. Dziubek emphasized the importance of the issue as it may weigh on receiving one and a half million dollars for the Milligan Farm. Twp. Engineer Reymann said he would attend the May 1st public hearing on the Transportation Plan.
- Asked the Twp. Committee adopt a proclamation for Autism and Alpha-1 Deficiency Awareness Month at the next Committee meeting.
- Toll Brothers request the release of 1.5 million dollar performance bond for Lookout Pointe Townhomes and the Farmhouse. Atty. Jost said that he had prepared a resolution releasing the bond, but with all the problems at 10 Albert Dr., it could be deferred to a future meeting.

Mr. Haynes mentioned the following:

- A resolution from Sierra Club opposing closure of New Jersey State Parks.

The following resolution was introduced for adoption:

RESOLUTION #2008-66 OPPOSING CLOSURE OF NJ STATE PARKS

WHEREAS, over 17 million visitors use New Jersey State Parks and forests each year for camping, swimming, hiking, boating, and other recreational activities and

WHEREAS, The New Jersey State Park system, represents a vital resource in the State of New Jersey, and

WHEREAS, There are numerous business enterprises in Northwest New Jersey that rely heavily, or exclusively, on the commerce generated by tourists who visit New Jersey State Parks each year, and

WHEREAS, High Point State park is the location of High Point Monument, a beautiful and necessary historic landmark dedicated to the memory of our Veterans of the Armed Forces, and

WHEREAS, the New Jersey Department of Environmental Protection is giving consideration to the full closure of High Point State Park in response to budget pressures of the New Jersey State Government, and

WHEREAS, the closure of High Point State Park will eliminate the ability of the general public to give honor due to our Veterans, by closing off the High Point Monument, and

WHEREAS, The Mayor and Committee of the Township of Union consider it to be a travesty that any State Park, would be closed because of the decades-long inability of New Jersey State Government to operate within the same spending caps and fiscal responsibility that they impose on local governments, and

WHEREAS, State Parks represent a successful and popular venue of tourism and economic stimulus generating \$3.9 billion for New Jersey's local and state economies, and

WHEREAS, the closure of any New Jersey State Parks would lead to extensive and widespread business failures in Northwest New Jersey, serving to further exacerbate the Economic Recession currently in effect, as well as increasing the loss of tax revenue by increased tax appeals created by loss of property valuation,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee of the Township of Union does hereby oppose the closure of any New Jersey State park, and

BE IT FURTHER RESOLVED, that Mayor and Committee of the Township of Union respectfully points out to Governor Jon Corzine, NJDEP Commissioner Lisa Jackson, and the entire State Legislature that the solution to the fiscal problems of Trenton must not be sought by pursuing budget cuts that will cause the economic collapse of Northwest New Jersey.

Mr. Haynes made a motion to adopt the above resolution. Mrs. Dziubek seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

Mayor Mazza mentioned the following:

- American Bikers organization is asking to proclaim April as a Motorcycle Awareness month in New Jersey. Mr. Haynes said he would not be interested. Mr. Severino had no objections.
- Has issue for Executive Session. No action taken.

The following resolution was introduced for adoption:

**RESOLUTION #2008-67
UNION TOWNSHIP, HUNTERDON COUNTY
PROCLAMATION – MAY OLDER AMERICANS MONTH**

WHEREAS, the month of **May** is traditionally designated and observed throughout the nation as **Older Americans Month**; and

WHEREAS, the 2008 theme is, **“Working Together for Strong, Healthy, and Supportive Communities,”** in honor of older Americans; and

WHEREAS, the Township of Union Municipality recognizes the contributions older Americans have made to our families, our communities, and our nation; and

WHEREAS, older Americans remain active and productive, volunteering their time, talents and expertise, thereby enriching all our lives;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union does hereby proclaim the month of May, 2008, as **OLDER AMERICANS MONTH** and calls upon individuals and entities to honor and celebrate the outstanding contributions of this Municipality’s older residents

BE IT FURTHER RESOLVED, that the copy of the resolution is sent to the Department of Human Services, Division of Senior Services/Senior Center.

Mrs. Dziubek made a motion to adopt the above resolution. Mr. Bischoff seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

PUBLIC COMMENTS - None

PUBLIC HEARING – 2nd reading

ORDINANCE 2008-3

AN ORDINANCE APPROPRIATING THE SUM OF \$190,000.00 (\$150,000.00 FROM THE NJDOT MUNICIPAL ROAD AID PROGRAM AND \$40,000.00 CURRENTLY LOCATED WITHIN THE CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL FUND OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, STATE OF NEW JERSEY) FOR IMPROVEMENTS TO VAN SYCKELS ROAD

Mr. Haynes made a motion to open the public hearing. Mr. Bischoff seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

There being no questions/comments from the public, Mr. Haynes made a motion to close the public hearing. Mr. Bischoff seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

Mr. Haynes made a motion to adopt Ord. #2008-3 on 2nd reading. Mr. Bischoff seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

OLD BUSINESS - None

NEW BUSINESS

a. The following resolution was introduced for adoption:

RESOLUTION #2008-68

**A RESOLUTION REQUESTING THE HUNTERDON COUNTY BOARD OF CHOSEN
FREEHOLDERS TO STUDY THE FEASIBILITY OF A COUNTY-WIDE ANIMAL CONTROL
SHARED SERVICE**

WHEREAS, the Township of Union hereby requests the Hunterdon County Board of Chosen Freeholders to collaborate with the Hunterdon County Shared Services Coordinator to conduct a feasibility study for county-wide animal control services; and

WHEREAS, Hunterdon County has successfully implemented county-wide, cost-effective shared services such as administration of the Health Officer position that has resulted in the saving of taxpayer dollars and the reduction of redundancy of the service; and

WHEREAS, Hunterdon County has successfully implemented county-wide, cost-effective shared services such as administration of the 911 Dispatch that has resulted in the saving of taxpayer dollars and reduction of the redundancy of the service; and

WHEREAS, the Hunterdon County Shared Services Coordinator, through meetings and surveying municipalities has identified animal control services as a requested and possible shared service; and

WHEREAS, many municipalities throughout the County are struggling to provide animal control services; and

WHEREAS, the Township of Union believes that long-term tax savings and improved service delivery may be obtained by sharing animal control services; and

WHEREAS, the proposed State municipal budget cuts will impact Union Township and possibly some services Township of Union provides to its residents and businesses; and

WHEREAS, the State has proposed allocating \$32 million in SHARE grant funding to study and implement shared services such as county-wide animal control; and

WHEREAS, the Township of Union desires the Hunterdon County Board of Chosen Freeholders to seek funding through the proposed State's SHARE allocation to conduct the feasibility study; and

NOW, THEREFORE, BE IT RESOLVED by the Township of Union, that we request the Hunterdon County Board of Chosen Freeholders to collaborate with the Hunterdon County Shared Services Coordinator to begin the process of conducting a feasibility study for county-wide animal control services.

Mrs. Dziubek made a motion to adopt above resolution. Mr. Bischoff seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

b. The following resolution was introduced for adoption:

**RESOLUTION #2008-69
TOWNSHIP OF UNION, HUNTERDON COUNTY
RESOLUTION OPPOSING THE FAILURE OF THE GOVERNOR'S PROPOSED STATE
BUDGET FOR THE 2008-2009 FISCAL YEAR TO TREAT PROPERTY TAX RELIEF AS OUR
PRIORITY**

WHEREAS, on February 26, 2008, in Trenton, Governor Jon S. Corzine presented his FY 2009 Budget proposal to a Joint Session of the State Legislature, which proposal now goes to the Legislature, which must pass a balanced budget by the start of the State's next Fiscal Year, which begins on July 1; and

WHEREAS, the proposal, which represents what the Governor called "many unpleasant choices," calls for the elimination of two Departments of State Government (the Departments of Agriculture and Personnel) and the State Commerce Commission, and asks all other Departments to absorb funding cuts, and further calls for sacrifice in a number of other areas, including direct property tax relief, hospital aid, higher education assistance and Medicaid, with the inordinately deep cuts in municipal property tax relief funding; and

WHEREAS, one year after the historic Special Session for Property Tax Reform, which purportedly eliminated the need for a Citizens' Convention, our property taxpayers will once again be asked for patience, and they will be asked to shoulder more than their fair share of the funding burden; and

WHEREAS, local officials have done so much with so little for so long, that State Budget-makers now believe some can do everything with absolutely nothing; and

WHEREAS, municipal property tax relief will be slashed by \$189.6 million; and

WHEREAS, for municipalities with a population of less than 5,000, there will be no CMPTRA funding this year; for municipalities with a population total between 5,000 and 10,000, this relief will be limited to one-half of the amount received in the State's 2006-2007 budget; and the \$32.6 million distributed according to the CMPTRA formula, which municipalities received last year as 2008 Municipal Property Tax Assistance, is gone; and

WHEREAS, all municipalities will receive level Energy Tax Receipts Property Tax Relief funding, despite State Law that 'requires' annual inflationary adjustments of this (and CMPTRA) funding; and

WHEREAS, last year, municipal efficiency was promoted to the tune of \$34.8 million, but in this proposal, this funding has been eliminated; and

WHEREAS, last year's \$32 million in Municipal Homeland Security Funding is gone, Special Municipal Aid funding is cut from \$153 million to \$145.4 – a loss of \$7.6 million, Extraordinary Aid funding is reduced by \$1.7 million – from \$34 million to \$32.3 million, and the \$8 million Regional Efficiency Aid Program will not be funded; and

WHEREAS, beyond these cuts, certain municipalities served by the State Police will be asked to contribute \$20 million to the State's General Fund, and Homestead Rebates for Homeowners will be cut by \$257 million, and for Renters by \$124 million; and

WHEREAS, Township of Union will see a loss of \$ 111,935, which includes a loss of \$ 24,154 in Municipal Efficiency Performance Program and \$ 10,958 in Municipal Property Tax Assistance.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Union calls on the Governor to take affirmative action to restore program funding sufficient to honor state statutes and the State's commitment to the cause of property tax relief in all New Jersey municipalities; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Governor Jon S. Corzine, Senate President Richard J. Codey, Senate Minority Leader Thomas H. Kean, Assembly Speaker Joseph J. Roberts, Assembly Minority Leader Alex DeCroce, the Chairs and Members of the Senate and Assembly

Budget and Appropriations Committees, Senator Leonard Lance and Assembly members, Marcia Karrow and Michael Doherty, NJ Conference of Mayors and to the New Jersey State League of Municipalities.

Mrs. Dziubek made a motion to adopt above resolution. Mr. Bischoff seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

c. The following resolution was introduced for adoption:

RESOLUTION #2008-70
TOWNSHIP OF UNION, HUNTERDON COUNTY
RESOLUTION OPPOSING ELIMINATION OF THE NEW JERSEY DEPARTMENT OF
AGRICULTURE

WHEREAS, on February 26, 2008, Governor Jon S. Corzine proposed the FY 2009 New Jersey State Budget; and

WHEREAS, as part of the Budget, Governor Corzine has proposed to eliminate the New Jersey Department of Agriculture as a cost-cutting measure; and

WHEREAS, the Department of Agriculture provides many important services to the almost \$ 3.5 billion agricultural industry and the citizens of the state including:

1. Food safety
2. Emergency food distribution to 500,000 residents
3. School nutrition programs (Healthy Choices/Healthy Kids)
4. School lunch programs for 145,000 children statewide
5. Soil/Water conservation, and environmental programs (Green Energy Initiatives for farmers, Garden State Ethanol)
6. Farmland preservation (160,000 acres statewide)
7. Aquaculture (seafood harvesting and distribution)
8. Equine industry, including racing
9. Livestock and poultry disease monitoring (mad cow, avian influenza)
10. Plant pest control (e.g. gypsy moths, Asian longhorn beetle)
11. Commodity promotion (the Jersey Fresh Program)
12. Urban planning and forest protection (Smart Growth Planner's Toolkit, programs to halt urban forest devastation by the Asian longhorn beetle)
13. Cooperation with academic and research institutions
14. Seed and fertilizer testing
15. Pet food and livestock feed testing

WHEREAS, New Jersey's diverse agriculture industry (produce, horticulture, livestock, seafood, equine) relies on the services of the Department of Agriculture to remain viable, contributing almost \$3.5 Billion to our state economy while also providing jobs, generating sales tax receipts, and maintaining our state's history and identity as the "Garden State"; and

WHEREAS, NJ Agriculture provides uniquely fresh, healthy food to local communities at a reduced cost to the consumer while utilizing shorter distribution routes than national providers, thus minimizing the environmental damage caused by long distance transportation; and

WHEREAS, the federal Farm Bill of 2007 was named "The Farm *Nutrition and Community Investment* Act" in recognition of the critical role agriculture plays in providing a better quality of life, as well as feeding our population; and

WHEREAS, the State Agriculture Development Committee (SADC) within the Department of Agriculture administers the New Jersey Farmland Preservation Program; and

WHEREAS, New Jersey has invested close to \$1.1 billion since 1982 to permanently preserve over 160,000 acres of farmland; and

WHEREAS, New Jersey voters have shown overwhelming support for the Farmland Preservation Program; and

WHEREAS, the Hunterdon County Farmland Preservation Program includes over 271 preserved farms and over 23, 615 acres permanently preserved.

NOW THEREFORE, BE IT RESOLVED that the Union Township Committee opposes the Governor's proposal to eliminate the Department of Agriculture and urges the Governor to reconsider his proposal.

BE IT FURTHER RESOLVED that a copy of this resolution shall be provided to the Hunterdon County Board of Chosen Freeholders; Senator Leonard Lance, Assemblywoman Marcia Karrow, Assemblyman Michael Doherty, the New Jersey Department of Agriculture, the State Agriculture Development Committee, every Board of Chosen Freeholders and every County Agriculture Development Board in the State of New Jersey, and all municipalities in Hunterdon County.

Mr. Bischoff made a motion to adopt above resolution. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

d. The following resolution was introduced for adoption:

**RESOLUTION #2008-71
APPROVING FIREWORKS DISCHARGE**

WHEREAS, Richard Schulman is requesting a fireworks display permit to be held on the property of Hunterdon Hills Playhouse.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union, Hunterdon County, New Jersey, that the Township of Union Committee hereby grants permission for a display for fireworks to be performed by Garden State Fireworks Company, Inc., 383 Carlton Ave, Millington, New Jersey on June 21, 2008, provided that Garden State Fireworks Company, Inc., provide the Township of Union and the Hunterdon Hills Playhouse with a Certificate of Insurance in a form acceptable to the Township Attorney.

BE IT FURTHER RESOLVED, that a true copy of this resolution shall be forwarded to the State of New Jersey, Department of Community Affairs, Division of Fire Safety, CN 809, Trenton, New Jersey 08625-0809.

Mrs. Dziubek made a motion to adopt above resolution subject to receipt of the necessary insurance certificate. Mr. Severino seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

e. The following resolution was introduced for adoption:

**RESOLUTION #2008-72
TOWNSHIP OF UNION, HUNTERDON COUNTY
RESOLUTION AUTHORIZING THE CLERK'S OFFICE TO MAINTAIN A PETTY CASH
FUND IN THE AMOUNT OF \$100.00**

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund for the Clerk's Office of the Township of Union; and

WHEREAS, said Petty Cash Fund was established by resolution dated April 16, 2008, by the Township Committee of The Township of Union; and

WHEREAS, it is the desire of the Township Committee that said fund be continued under the direction of the Clerk;

NOW THEREFORE, BE IT RESOLVED ON THIS 16th Day of April, 2008, by the Township Committee of the Township of Union, that:

1. During the year 2008, Ella Malecki-Ruta, Clerk, be and is hereby authorized and permitted to establish a Petty Cash Fund in the amount not to exceed \$100.00 pursuant to the provisions of N.J.S.A. 40A:5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses.
2. Ella Malecki-Ruta, Clerk, having custody of the Fund be bonded in an amount not less than \$1,000.00 and will maintain said Fund in accordance with the laws and regulations governing its operation.

Mr. Bischoff made a motion to adopt above resolution. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

f. The following resolution was introduced for adoption:

**RESOLUTION 2008-73
CANCELLING PRIOR YEARS ERRONEOUSLY
TRANSFERRED BALANCE**

WHEREAS, the following parcels contain previously transferred amounts in our tax system; and

WHEREAS, the collector has determined the following amounts are no longer active in our tax system:

Account	Block	Lot	Amount	Year	Owner
29659	14.03	8	\$24.90	1990	Unknown
29666	15	8.05	24.90	2002	State of NJ

WHEREAS, these amounts were erroneously transferred to Block 25 Lot 1.07 owner Hulse, Richard & Chi Yen.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey that said amounts be cancelled of record.

Mr. Bischoff made a motion to adopt above resolution. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

- g. Motion to authorize the Mayor to Sign a Letter to the NJDOT; Harding's Land & Lawn Inc.- Hot Air Balloon(s)

Mr. Severino made a motion to authorize Mayor Mazza to sign a letter to NJDOT to the effect that Union Township does not have ordinance(s) prohibiting the flying of hot air balloon(s) and has no objection to this practice; however, Union Township assumes no responsibility for the operation of this private company. Mr.

Bischoff seconded the motion. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Abstained: Mr. Haynes. Motion Carried.

- h. Motion to authorize the Mayor to Sign a Letter to the NJDOT; Mountain View Chalet- Hot Air Balloon(s)

Mr. Severino made a motion to authorize Mayor Mazza to sign a letter to NJDOT to the effect that Union Township does not have ordinance(s) prohibiting the flying of hot air balloon(s) and has no objection to this practice; however, Union Township assumes no responsibility for the operation of this private company. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

MAYOR MAZZA STATED THAT THE FOLLOWING SUBJECTS ARE GOING TO BE DISCUSSED LATER AT THE MEETING

- i. Discussion – COAH-review of a current COAH ordinance/COAH Administrative Agent
j. Discussion – Appointment of the Risk Manager/ Insurance Agent

NEW ORDINANCE – 1ST Reading –None

REPORTS

- a. **Engineer's Report** – Mr. Reymann reported the following/written report submitted:

- Van Syckel's Road; contract completed, notice to bidders prepared
- Asked the Committee if interested in applying to NJDOT for 2009 Municipal Aid
- Van Syckel's Road – design has to be forwarded to the NJDOT. The only outstanding issue regarding this project is an orphan bridge of which nobody is claiming the ownership.
- Edna Mahan Frontage Road – waiting to schedule a meeting date.
- Grand Colonial – spoke with Mr. Dallas and John Gull reminding them of TCO expiration on April 21st.
- Prepared a design to install a drainpipe to eliminate drainage/flooding problem on Van Syckel's Corner Rd. and Coachman Dr.

Mr. Severino said he received a phone call regarding speed limit on Finn Rd., as there is no speed limit signs along that road. Atty. Jost will check into it and report back at the next meeting.

- b. **Attorney's Report** – Mr. Jost reported the following:

- Spoke with Mary Beth Lonergan regarding property on Van Syckel's Rd that is being sold by the State. She asked if the Township considered purchasing the property. Atty. Jost offered to write a note to the State indicating Township's interest in the property and notification of any decisions made concerning the property
- Amended resolution from 2006 opposing charges for New Jersey State Police coverage specific to our municipality. Atty. Jost said that NJLM sent out a sample of general resolution opposing same charges and he would recommend adopting both.

The following resolution was introduced for adoption:

**RESOLUTION 2008-74
OPPOSING CHARGES FOR NEW JERSEY STATE POLICE COVERAGE
TO RURAL MUNICIPALITIES**

WHEREAS, the New Jersey State Police were founded in 1921, with the stated purpose of providing police protection for the rural inhabitants of the State of New Jersey, not otherwise serviced by full-time municipal police departments; and

WHEREAS, since 1921, the State Police have fulfilled this responsibility to our rural citizens with duty, honor and fidelity, and New Jersey's rural municipalities have always appreciated this vital service; and

WHEREAS, despite population growth in New Jersey, many rural municipalities are still too small or sparsely populated to afford full time police protection; and

WHEREAS, Union Township in Hunterdon County is a rural township of approximately 20 square miles, having an estimated population of 4,721 persons as of 2005, exclusive of the residents of the Edna Mahon Correctional Facility and the Hunterdon Developmental Center; and

WHEREAS, in excess of one-third (1/3) of the total area of Union Township is taken up by New Jersey State facilities, including the Spruce Run Reservoir and adjoining lands, the Edna Mahon Correctional Facility, the Hunterdon Developmental Center, and other State properties; and

WHEREAS, the Edna Mahon Correctional Facility and the Hunterdon Developmental Center pay nothing in real property taxes to the Township, while encompassing more than 328 acres of prime highway frontage that would otherwise generate over \$500,000 in property tax revenues; and

WHEREAS, the State of New Jersey pays an annual "in lieu of" tax payment of \$4,495 to Union Township for the Spruce Run Reservoir, based upon 1950's assessments, which is woefully inadequate to compensate the Township for 21st century real estate values; and

WHEREAS, Union Township is bisected by Interstate Route 78, a major interstate thoroughfare | patrolled by the State Police; and

WHEREAS, the Township of Union maintains and pays for the Union Township Municipal Court, the primary role of which is to process traffic summonses issued by the State Police on Route 78 and other state, county and municipal roads in Union Township, and to remit all of the proceeds from such fines directly to the State of New Jersey; and

WHEREAS, according to the Union Township auditor, the Union Township Municipal Court has incurred a cumulative operating deficit of \$111,351.07 in the last 3 years, due primarily to increasing mandates and requirements from the New Jersey Administrative Office of the Courts, while remitting to the State of New Jersey net payments totaling \$1,862,703.83 during the same 3 years from fines, penalties and surcharges; and

WHEREAS, the Township of Union through its affiliated fire companies and rescue squads is presently subsidizing emergency services to interstate and intrastate transportation through constant responses to motor vehicle accidents and other emergencies on Interstate Route 78 and other state highways in Union Township; and

WHEREAS, due to the inclusion of a majority of Union Township in the Highlands Preservation Area, and the active programs of open space acquisition and farmland preservation being undertaken in Union Township by the Union Township Committee, the New Jersey Green Acres Program, New Jersey Division of Fish, Game and Wildlife, NJDEP and the New Jersey Water Supply Authority, it is likely that Union Township will remain a less developed community for the foreseeable future; and

WHEREAS, Governor Jon S. Corzine's administration is planning to begin charging rural municipalities for State Police coverage, in order to address a deficit in State Police funding, while totally ignoring the burdens imposed on our rural municipalities by State roads and other facilities, and the transients and non-residents who utilize these facilities and the income realized by the State from such facilities; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey, that this governing body opposes any effort or proposal to charge rural municipalities in the State of New Jersey for State Police protection, in contravention of the promise that was made to New Jersey's rural citizens in 1921 and reaffirmed over many years; and

BE IT FURTHER RESOLVED, under the particular circumstances pertaining to the Township of Union, it would be especially inappropriate to surcharge Union Township for State Police protection, in that Union Township is already subsidizing State facilities and law enforcement activities in numerous other ways; and

AND BE IT FURTHER RESOLVED that true copies of this resolution shall be forwarded to Governor Jon S. Corzine, Senator Leonard Lance, Assemblywoman Marcia Karrow, Assemblyman Michael Doherty, Colonel Joseph R. Fuentes, Superintendent, New Jersey State Police, the New Jersey State League of Municipalities and to other concerned legislators, public officials and governing bodies in New Jersey.

Mr. Severino made a motion to adopt the above resolution. Mr. Bischoff seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

The following resolution from the NJ League of Municipalities regarding charges for the State Police was introduced for adoption:

RESOLUTION #2008-75

UNION TOWNSHIP, HUNTERDON COUNTY, NEW JERSEY

**A RESOLUTION ENDORSING AN INCREASE IN STATE POLICE SURCHARGES TO FUND
STATE BUDGET SHORTFALLS IN LIEU OF RELIANCE UPON LOCAL PURPOSE
INCREASES**

WHEREAS, Governor Jon S. Corzine's proposed Fiscal Year 2009 budget identifies a shortfall in New Jersey State Police funding, and

WHEREAS, the administration plans to start charging municipalities for State Police services, and doing so would negatively affect municipal budgets and thus require municipalities to raise local purpose taxes, and

WHEREAS, the aforementioned proposed budget call for cuts in municipal aid which also would require municipalities to raise local purpose taxes, and

WHEREAS, Directive 15 from the governor also requires municipalities to meet new security requirements in their courts, resulting in additional capital expenditures in municipal budgets while no state funding offsets are provided, and

WHEREAS, on February 22, 2007, many mayors, other elected and appointed municipal officials met with the Attorney General and State Police offering a solution to the State Police budget shortfall-namely, increasing surcharges on fines levied by the State Police, and

WHEREAS, P.L. 2007,c335 (C.39:2A-36.1) allows the Motor Vehicle Commission governing Board to increase the surcharges listed in that statute, and

WHEREAS, charging those who violate state statutes would fund the State Police Budget shortfall in lieu of relying on New Jersey property taxpayers is a sensible solution to address the problem, and

WHEREAS, on March 19, 2008, mayors, elected and appointed officials meet again with the Governor's Deputy chief of Staff, other members of the administration, and State Police, reiterating the fair solution, and recommenced that the administration set the appropriate surcharge rates that would cover the shortfall, as well as that monies collected may also be returned to communities to cover additional court security expenses,

THEREFORE BE IT RESOLVED, that the governing body of Union Township, County of Hunterdon, hereby resolves that it endorses the sensible solution proposal to raise surcharges on motor vehicle fines rather than rely on New Jersey property tax payers to fund any State Police shortfall,

AND BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Governor, the members of the State Legislature, and the New Jersey League of Municipalities

Mr. Bischoff made a motion to adopt the above resolution. Mrs. Dziubek seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

- Asked the Committee to consider a memo regarding Bonnell's Tavern.
- Has matters for Executive Session.

c. Mayor's Report

- **Mayor Mazza appointed John Wingler and Chuck Neary as Alternate members to Union Township Environmental Commission.**
- Asked the Committee to decide on the date for 2008 Budget workshop meeting. All Committee members agreed to meet on Monday, April 28, 2008.

OUT OF AGENDA ORDER

Discussion - COAH-review of a current COAH ordinance/COAH Administrative Agent

Mrs. Dziubek stated that Mary Beth Lonergan brought it to her and the Committee's attention about the appointment of a Municipal Housing Liaison. Mrs. Lonergan explained in her e-mail that the Township adopted a resolution appointing the Clerk as the COAH Municipal Housing Liaison as well as an ordinance clearing up difference between the Municipal Housing Liaison and an Affordable Housing Agent. The Township had originally planned on the Hunterdon County Housing Corporation serving as an Administrative Agent for the Milligan Farm affordable units such as those located at Lookout Pointe; however the Hunterdon County Housing Corporation has disbanded as a non-profit agency and it was necessary to establish another entity to enable Lookout Pointe to move forward with affirmative marketing of affordable units. The Township decided on Housing Affordable Service (HAS) at the State, to be the Housing Administrative Agent. The Lookout Pointe developer has contracted directly with the State to cover his affordable units. Now, it would be the Committee's decision whether to stay with HAS or look elsewhere. Mrs. Dziubek said she thinks that the Twp. should stay with HAS, but no matter what the decision the Twp. it is not bound in any way and could go with someone else at any time. Mrs. Lonergan could provide names of different organization if interested. Atty. Jost said that HAS is a good organization.

Atty. Jost asked the Clerk to contact Mary Beth Lonergan for clarification whose name should be submitted to COAH as the Municipal Housing Liaison.

At about 10:17 PM Twp. Engineer left the meeting.

Discussion - Appointment of the Risk Manager/ Insurance Agent

Atty. Jost suggested replacing Bollinger Insurance as the Township's Risk Manager. He recommended inviting local agents to the meeting. He has someone in mind. The Clerk was asked to talk to Grace Brennan, CFO to give a name of one other candidate.

Mayor Mazza stated he will not be present at the next Twp. Committee Meeting.

d. Committee Report

Mr. Bischoff reported the following:

- Is working on personnel matters. After looking at the personnel situation at the municipal offices he would like to, with the Committee's agreement, come up with a solution to provide better coverage for the public while maintaining the same number of hours.
- Had prepared, after consulting with Atty. Jost, a description of the "Floater Position". Atty. Jost recommended the "Floater" job description be approved by the Committee.

Mr. Severino made a motion to approve job description of the "Floater". Mrs. Dziubek seconded. Vote Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

- Has matters for Executive Session

Mr. Severino reported the following:

- Had tried to contact Mr. Garrison, Recycling Coordinator, unsuccessfully so far.

Mrs. Dziubek reported the following:

- Waiting for the decision on NFA letter for Milligan Farm.
- Maser Consulting finally prepared a survey to the satisfaction of the Green Acres.

e. Clerk's Report - None

PUBLIC COMMENTS - None

PAYMENT OF THE BILLS – Mr. Haynes moved that all claims against the Township of Union as appearing in the Claims Register of this date be paid and that all checks listed hereinafter be issued in payment thereof. Mr. Severino seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

EXECUTIVE SESSION

At approximately 10:32 PM the following resolution was introduced for adoption:

**RESOLUTION #2008-76
EXECUTIVE SESSION**

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Union Township Committee has deemed it necessary to go into closed session to discuss certain matters which are exempt from the public.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12: Potential COAH Litigation and Pilot Litigation.

Mrs. Dziubek made a motion to adopt the above resolution. Mr. Bischoff seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

At approximately at 11:00 PM, Mr. Severino made a motion to return to the regular meeting, Mr. Bischoff seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

ADJOURNMENT – There being no further business to come before the Township Committee at this time, Mr. Bischoff made a motion to adjourn. Mrs. Dziubek seconded the motion. Motion carried by unanimous favorable roll call vote.

Meeting adjourned at approximately 11:00 PM

Respectfully submitted,

Ella Malecki Ruta, RMC
Municipal Clerk